

THE HON'BLE SMT.JUSTICE T.MEENA KUMARI

AND

THE HON'BLE SRI JUSTICE P.LAKSHMANA REDDY

WRIT APPEAL No.1382 OF 2005

Dt: 02.08.2005

Between:

D.S.V.Chiranjeevi Rao .... PETITIONER

-

AND

A.P.State Housing Corporation Limited,

rep.by its Managing Director, urdugally, Himayathnagar, Hyderabad and others

... RESPONDENTS

-

-

-

-

-

-

-

-

-

-

-

-

-

-  
  
-  
  
-  
  
-  
  
-  
  
-  
  
-  
  
-  
  
-  
  
-  
  
-  
  
-  
  
-  
  
-  
  
-  
  
-  
  
-  
  
-

**THE HON'BLE SMT.JUSTICE T.MEENA KUMARI**

**AND**

**THE HON'BLE SRI JUSTICE P.LAKSHMANA REDDY**

**WRIT APPEAL No.1382 OF 2005**

**JUDGMENT:** (per the Hon'ble Smt.Justice T.Meena Kumari)

This Writ Appeal is filed by the appellant-writ petitioner aggrieved by the Order, dated 19.07.2005, in Writ Petition No.9615 of 2005 passed by a learned single Judge of this Court.

The said Writ Petition was filed to declare the action of the first respondent in issuing

the impugned order dated 05.03.2005 as arbitrary and illegal.

It is the case of the appellant-writ petitioner that he joined in the first respondent-Corporation in the year 1985 as a Work Inspector and has been discharging his duties. While so, on 26.08.2003, the authorities of Anti Corruption Bureau have conducted a check at the premises of the District Co-operative Central Bank, Salur and found the writ petitioner collecting some amounts from the beneficiaries and that the Anti Corruption Bureau after conducting enquiry into the matter of collection of amounts, submitted a report to the Government and the Government, in turn, directed the first respondent to place the writ petitioner under suspension. Accordingly, the first respondent by the impugned proceedings dated 5.3.2005 placed the writ petitioner under suspension.

Learned counsel for the appellant-writ petitioner before the learned single Judge relied upon the Judgment of this Court in Writ Appeal No.818 of 2005 wherein a Division Bench held that there was not even a reference to the report of Anti Corruption Bureau or any other complaint, in the order of suspension.

The learned single Judge of this Court dismissed the Writ Petition observing as follows:

“But in this case, the Managing Director after careful consideration of the available material and having regard to the circumstances of the case satisfied that the criminal charge under investigation is connected with his official position as a Government servant and involved moral turpitude. It is also mentioned in the Order that the petitioner involved in collection of bribe amount from the beneficiaries of Kondakegua Village with the connivance of two private persons. The petitioner is alleged to have been caught red handed while collecting the bribe amount.”

Aggrieved by the same, the present Writ Appeal has been preferred.

A reading of the impugned Order dated 5.3.2005 goes to show that the Anti Corruption Bureau has conducted enquiry into the matter and submitted a report to the Government and the Government issued instructions to the first respondent to place the writ petitioner under suspension. Therefore, the Judgment relied upon by the learned counsel for the petitioner does not apply to the facts of the present case.

Under the above circumstances, we do not want to interfere with the Order of

the learned single Judge.

Accordingly, the Writ Appeal is dismissed as it is filed only against the Order of suspension.

**(T.MEENA KUMARI, J)**

**(P.LAKSHMANA REDDY, J)**

**Dt: 02.08.2005**

bsv/lvl